

# 6-29-11 Controversial rules on use of Lake Erie water get OK

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COLUMBUS — The Ohio Senate on Tuesday passed a bill that could increase the amount of water businesses siphon from Lake Erie.

Supporters of House Bill 231 say the business-friendly measure will help the economy in Northern Ohio and tourism on the lake. But opponents, including Republican former Govs. Bob Taft and George Voin-

ovich, worry the costs for such benefits will be irreversible harm to the lake's ecosystem and a potential algae infestation from water level drops.

Legislation was required as part of the eight-state Great Lakes Compact, agreed on in 2008 as Great Lakes border states sought to take steps to protect the abundant fresh waters. The compact requires each state to decide by 2013 how the waters are to be used. Finding agree-

ment on usage, however, was difficult for Ohio lawmakers.

The bill requires businesses to seek permits if they use more than 5 million gallons of water a day from Lake Erie, 2 million gallons a day from groundwater or 300,000 gallons a day from rivers considered "high quality."

And the Ohio Department of Natural Resources can consider awarding permits without considering how much water others might al-

ready be using from the lake, its tributaries or the entire Great Lakes basin. The department would, however, conduct an impact analysis every five years.

Opponents say the regulations are far too generous.

"As we enter this General Assembly, what do we see?" asked Sen. Michael Skindell, a Lakewood Democrat. "We see the sell-off of the timbers in our state forests."

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"We see the sell-off of our natural resources in our state parks. And now we give away the waters of the Great Lakes."

Sen. Edna Brown, a Toledo Democrat, complained on the Senate floor that the thresholds requiring a permit are higher than any others for states in the Great Lakes Compact to date.

But Sen. Tim Grendell, a Chesterland Republican, accused opponents of fear-mongering for suggesting the lake's level could drop and the supply of fresh

drinking water could dwindle.

Grendell said about 137 billion gallons of water flow into Lake Erie every day while about 90 billion gallons each day is used for drinking water, evaporates or, as most of it does, flows over Niagara Falls.

"So, no, the lake is not going to run dry," Grendell said.

"What's irresponsible is to base a vote on this bill on unfounded fear-mongering and to seek to place restrictions on a problem that doesn't exist," Grendell said.

And Rep. Lynn Wachtmann, a Napoleon Republican, said this bill is actually doing a good thing by enacting new restrictions.

"This bill places restrictions on withdrawal that have never been there in Ohio law," he said, "so for anybody to say that we have

in any way set Lake Erie back with this legislation, I don't think that they understand that up until now there had been no regulations."

Taft and the Ohio Environmental Council argued last week during a committee hearing that the threshold requiring a permit was too high and essentially welcomed businesses to consume the lake's fresh waters.

In a roundabout way, Grendell said that was the point. He suggested the intent was to make use of the lake water attractive enough that businesses may want to relocate here and bring jobs and help with tourism.

Skindell said that because Lake Erie is the smallest, shallowest and warmest of the Great Lakes, welcoming more business

to drain it will only make it more susceptible to algae blooms, which will actually hurt the economy.

The Senate passed the bill 25-8 with every Republican and two Democrats — Eric Kearney of Cincinnati and Jason Wilson of Columbiana — voting for it.

The bill is now headed to Gov. John Kasich for his signature. The Republican leader's office was unusually mum on this bill when asked about it on Tuesday. But Republican legislators, using Kasich's favorite catch phrases to describe the bill, such as "business-friendly" and less "red tape," said they expect him to sign it.

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